

APR 28 2008

## PCT LEGAL

ADMINISTRATION

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	ADMINISTRATION NO.
10/553,663	04/16/2004	DIAZ DEL RIO PEREZ, Ed.	576391-2003	3780

Mail Stop: PCT  
 Commissioner for Patents  
 Office of PCT Legal  
 Administration  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

EXAMINER	
N.A.	
ART UNIT	PAPER NUMBER
N.A.	N.A.

## CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and its attachments is being deposited with the United States Postal Service, "Express Mail Post Office to Addressee" service, under 35 C.F.R. § 1.10 in an envelope addressed to:

Attention: Office of PCT Legal  
 Administration  
 Mail Stop: PCT  
 Commissioner for Patents  
 Office of PCT Legal Administration  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

on April 28, 2008

Signature:

David M. McConoughey, Esq.  
 Registration No. 24,786

Express Mail Label No.  
 EH 035918266 US

ASSIGNEE'S  
 RENEWED PETITION  
 PURSUANT TO  
 37 C.F.R. § 1.47(b)

**ASSIGNEE'S RENEWED PETITION**

APR 28 2008

Fusaco IP, Sarl, the assignee of the entire right, title, and interest in the above-referenced patent application, renews its petition to make application for patent itself pursuant to 37 C.F.R. § 1.47(b) based on the accompanying Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96) and the previously submitted papers, each of which is incorporated herein by reference.

Assignee, Fusaco IP, Sarl, respectfully requests reconsideration based on this Renewed Petition and the associated Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96) in light of the previously presented petition and papers and the grant of the Assignee's petition.

**REMARKS**

**THE DECISION ON PETITION**

The Office in the Decision on Petition under 37 CFR 1.47(b) of December 28, 2007 found that the Assignee had satisfied five (5) of the six (6) conditions set forth for the grant of a petition under 37 C.F.R. § 1.47(b). Only item (5) remained unsatisfied as follows:

Regarding item (5), the 37 CFR 1.47(b) applicant has proven that the invention has been assigned to the applicant. The assignment, attached to the petition, is between Eduardo Diaz Del Rio Perez and Fusaco IP, Sarl. Counsel has demonstrated how this assignment is directed to the above-referenced application. However, a statement under 37 CFR 3.73(b) by the assignee must also be submitted and is still outstanding. Where the oath or declaration is being signed on behalf of an assignee, see MPEP § 324. Item (5) is not satisfied.

**RESPONSE**

Enclosed herewith is a Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96) executed on behalf of the Assignee, Fusaco IP, Sarl, by Stefan P. Broinowski, the Managing Director of Fusaco IP, Sarl, with respect to the assignment from Eduardo Diaz Del Rio Perez to the Assignee, Fusaco

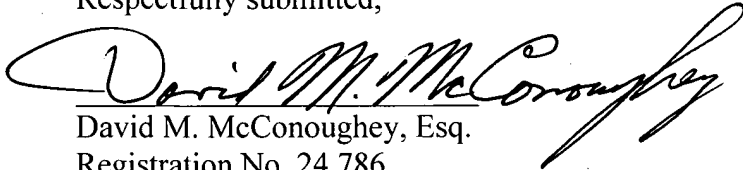
IP, Sarl, previously recorded in the U.S. Patent and Trademark Office at Reel 014039 and Frame 0852.

The Assignee submits that it has complied with the requirements of 37 CFR 1.47(b), 37 CFR 3.73(b), and MPEP § 324 with this Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96).

## CONCLUSION

In view of at least the foregoing remarks, accompanying submissions, and the prior submissions, the 37 C.F.R. § 1.47(b) Applicant, Fusaco IP, Sarl, respectfully requests reconsideration of the petition under 37 C.F.R. § 1.47(b) and its grant.

Respectfully submitted,



David M. McConoughey, Esq.  
Registration No. 24,786  
350 Fifth Ave Ste 4710  
New York, NY 10118-4710  
Tel: 212.268.1530

**EXHIBIT A**

Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96)

PTO/SB/95 (01-08)

Approved for use through 04/30/2008 OMB 0551-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: FUSACO IP, SarlApplication No./Patent No.: 10/553,663 Filed/Issue Date: Int'l App: 04/16/2004Entitled: EXPLOSION-INHIBITING ARTICLES OF MANUFACTUREFUSACO IP, Sarl  
(Name of Assignee)Limited Liability Company  
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014039, Frame 0852, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Stefan P. Broinowski  
Signature

April 19, 2008

Date

Stefan P. Broinowski

Printed or Typed Name

203-550-8556

Telephone Number

Managing Director  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 7

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2008</b> <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>		Docket Number (Optional) <div style="font-size: 1.2em; font-family: cursive;">5768 91-2003</div>	
Application Number <div style="font-size: 1.2em; font-family: cursive;">10/553,663</div>		Filed <div style="font-size: 1.2em; font-family: cursive;">INVL. 16 APRIL 2009</div>	
For <div style="font-size: 1.2em; font-family: cursive;">EXPLOSION-INHIBITING ARTICLES OF MANUFACTURE</div>			
Art Unit <div style="font-size: 1.2em; font-family: cursive;">N. A</div>		Examiner <div style="font-size: 1.2em; font-family: cursive;">N. A</div>	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$460	\$230	\$ <div style="font-size: 1.2em; font-family: cursive;">230<sup>00</sup></div>
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1050	\$525	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1640	\$820	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ _____

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 

24,786

☐ attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

David M. McCaughy ESQ

Signature

DAVID M. MCCOUGHEY

Typed or printed name

April 27, 2008

Date

212.268.1530

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

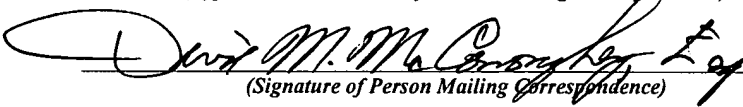
☒ Total of 

1

 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s):			Docket No. <b>576391-2003</b>	
Serial No. <b>10/553,663</b>	Filing Date <b>INTL: 16 APRIL 2004</b>	Examiner <b>N. A</b>	Group Art Unit <b>N. A.</b>	
Invention: <b>EXPLOSION-INHIBITING ARTICLES OF MANUFACTURE</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <b>RENEWED PETITION UNDER 37 C.F.R. 1.47(b) AND EXHIBIT A (PTO/SB/96;          PETITION FOR EXTENSION OF TIME (2nd, SMALL ENTITY);          CREDIT CARD PAYMENT FORM PTO-2038 (\$230.00);          RECEIPT ACKNOWLEDGEMENT POSTCARD</b> </div> <p style="text-align: center; font-size: small;">(Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  <b>MAIL STOP: PCT</b></p> <p>37 CFR 1.10 in an envelope addressed to: <del>The Assistant Commissioner for Patents, Washington, D.C. 20231</del> on  <b>OFFICE OF PCT LEGAL ADMINISTRATION</b>  <b>P.O. BOX 1450</b>  <b>ALEXANDRIA, VA 22313-1450</b></p> <p><b>APRIL 28 2008</b>  <small>(Date)</small></p> <p style="text-align: center;"><b>DAVID M. McCONAUGHEY, Esq.</b>  <small>(Typed or Printed Name of Person Mailing Correspondence)</small></p> <p style="text-align: center;">  <small>(Signature of Person Mailing Correspondence)</small></p> <p style="text-align: center;"><b>EH 035918266 US</b>  <small>("Express Mail" Mailing Label Number)</small></p>				
Note: Each paper must have its own certificate of mailing.				